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PATENT APPLICATION

ATTORNEY DOCKET NO. 200401494-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Iddys D. Figueroa et al.

Confirmation No.: 3173

Application No.: 10/801,381Examiner: E. CameronFiling Date: March 15, 2004Group Art Unit: 1762Title: **APPLICATION OF A BIOACTIVE AGENT TO A DELIVERY SUBSTRATE**

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, Dec. 19, 2006 rejecting the following claims 1-10 and 29-34. The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

1st Month
\$120

2nd Month
\$450

3rd Month
\$1020

4th Month
\$1590

The extension fee has already been filed in this application

(b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

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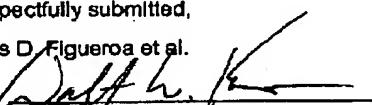
I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile: Feb. 6, 2007Typed Name: Christie A. DoolittleSignature: Christie A. Doolittle

Respectfully submitted,

Iddys D. Figueroa et al.

By



Walter W. Karnstein

Attorney/Agent for Applicant(s)

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Date : Feb. 6, 2007

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